

FORM-PTO-1390
(Rev. 10-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

012627-009 **09/142471**

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/142,471

INTERNATIONAL APPLICATION NO.
PCT/DE97/00458INTERNATIONAL FILING DATE
07 March 1997PRIORITY DATE CLAIMED
07 March 1996

TITLE OF INVENTION
CONJUGATE FOR MODIFYING INTERACTIONS BETWEEN PROTEINS

APPLICANT(S) FOR DO/EO/US
Stefan ROSE-JOHN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

SMALL ENTITY DECLARATION; REQUEST FOR REFUND

11/4/98
TS

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)
09/142,471

INTERNATIONAL APPLICATION NO.
PCT/DE97/00458

ATTORNEY'S DOCKET NUMBER
012627-009

17. ☒ The following fees are submitted:

CALCULATIONS

PTO USE ONLY

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO \$930
International preliminary examination fee paid to USPTO (37 CFR 1.482)
..... \$720.00
No international preliminary examination fee paid to USPTO (37 CFR 1.482)
but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00
Neither international preliminary examination fee (37 CFR 1.482) nor
international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1070.00
International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(2)-(4) \$98.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than
months from the earliest claimed priority date (37 CFR 1.492(e)). ☐ 20 ☐ 30

\$ 130.00

Claims

Number Filed

Number Extra

Rate

Total Claims

-20 =

X\$22.00

\$

Independent Claims

-3 =

X\$82.00

\$

Multiple dependent claim(s) (if applicable)

+ \$270.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$ 130.00

Reduction for 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be
filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$ 65.00

SUBTOTAL =

\$ 65.00

Processing fee of \$130.00 for furnishing the English translation later than
months from the earliest claimed priority date (37 CFR 1.492(f)). ☐ 20 ☐ 30 +

\$

TOTAL NATIONAL FEE =

\$ 65.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$ 40.00

TOTAL FEES ENCLOSED =

\$ 105.00

Amount to be:

refunded \$

charged \$

a. ☒ A check in the amount of \$ 105.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet
is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit
Account No. 02-4800. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be
filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Teresa Stanek Rea
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

SIGNATURE

Teresa Stanek Rea
NAME

30,427
REGISTRATION NUMBER

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Stefan ROSE-JOHN)	Group Art Unit: Unassigned
)	
Application No.: 09/142,471)	Examiner: Unassigned
(Corresponds to PCT/DE97/00458))	
)	
International Filing Date: 07 March 1997)	
)	
For: CONJUGATE FOR MODIFYING)	
INTERACTIONS BETWEEN PROTEINS)	

**TRANSMITTAL OF VERIFIED STATEMENT CLAIMING
SMALL ENTITY STATUS - SMALL BUSINESS CONCERN
AND
REQUEST FOR REFUND**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is a Verified Statement (Declaration) Claiming Small Entity Status, duly executed by the Assignee of the above-identified patent application.

It is respectfully requested that one-half of the original filing fee filed on September 8, 1998, in the amount of \$232.50, be refunded to Applicant and deposited in Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 4, 1998

By: _____

Teresa Stanek Rea
Registration No. 30,427

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Patent
Attorney's Docket No. 012627-009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Stefan ROSE-JOHN)	Group Art Unit: Unassigned
)	
Application No.: 09/142,471)	Examiner: Unassigned
(Corresponds to PCT/DE97/00458))	
)	
International Filing Date: 07 March 1997)	
)	
For: CONJUGATE FOR MODIFYING)	
INTERACTIONS BETWEEN)	
PROTEINS)	

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

BOX PCT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements issued by the U.S. Patent and Trademark Office on March 22, 1999, enclosed herewith is a copy of the Declaration/Power of Attorney, Assignment, Small Entity Declaration and Transmittal Letter filed in the U.S. Patent and Trademark Office on November 4, 1998. Also enclosed is a copy of the stamped postcard indicating receipt of the subject documents by the U.S. Patent and Trademark Office on November 4, 1998.

Application No. 09/142,471
Attorney's Docket No. 012627-009

Prompt issuance of a Notification Of Acceptance Of Application is respectfully
requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Teresa Stanek Rea
Teresa Stanek Rea
Registration No. 30,427

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

by Rea & Rea
Reg # 35,132

Date: April 22, 1999

Applicant/Inventor: Stefan ROSE-JOHN

Appln. No. 09/142,471

Docket No.: 012627-009

Work Atty: TSR

Date: 11-4-98

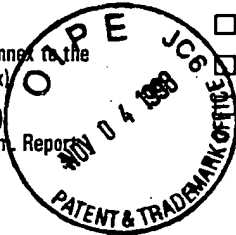
Title: CONJUGATE FOR MODIFYING INTERACTIONS BETWEEN PROTEINS

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

Dkt. Clerk Initials

TS

- | | | |
|---|--|---|
| <input type="checkbox"/> Transmittal Letter to the U.S. Receiving Office/Response to Invitation (PTO-1382) | <input type="checkbox"/> PCT Fee Calculation Sheet Annex to Demand for Int'l. Prel. Examination (PCT/IPEA/401 (Annex)) | <input checked="" type="checkbox"/> Check for \$ <u>105.00</u> is enclosed |
| <input checked="" type="checkbox"/> Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 USC 371 (PTO-1390) | <input checked="" type="checkbox"/> Executed Declaration/Power of Attorney | <input type="checkbox"/> Check for \$ _____ is enclosed |
| <input type="checkbox"/> PCT Request (PCT/RO/101) (____) pgs. Including | <input type="checkbox"/> Unexecuted Declaration/Power of Attorney | <input type="checkbox"/> Charge \$ _____ to Deposit Account |
| <input type="checkbox"/> specification (pages 1 - ____) | <input type="checkbox"/> PCT Notice of Confirmation of Precautionary Designations (PCT/RO/144) | <input type="checkbox"/> |
| <input type="checkbox"/> claims (claim(s) 1 - ____ , ____ pgs.) | <input type="checkbox"/> Appointment of Agent | <input checked="" type="checkbox"/> SMALL ENTITY DECLARATION;
REQUEST FOR REFUND |
| <input type="checkbox"/> drawings (Fig(s). 1 - ____ , ____ pgs.) | <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> |
| <input type="checkbox"/> Abstract of the Disclosure | <input checked="" type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595) | <input type="checkbox"/> |
| <input type="checkbox"/> PCT Fee Calculation Sheet Annex to the Request (PCT/RO/101 (Annex)) | <input type="checkbox"/> Information Disc. Statement Transmittal Letter | <input type="checkbox"/> |
| <input type="checkbox"/> PCT Demand (PCT/IPEA/401) International Preliminary Exam. Report | <input type="checkbox"/> Information Disclosure Citation (PTO-1449) | <input type="checkbox"/> |
| | Information Disclosure Statement w/____ document(s) | |



(10/97)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/142471	ROSE-JOHN	S 012627-009

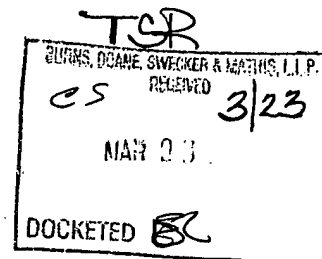
TERESA STANEK REA
BURNS DOANE SWECKER & MATHIS
P O BOX 1404
ALEXANDRIA, VA 22313 1404

INTERNATIONAL APPLICATION NO.	
PCT/DE97/00458	
I.A. FILING DATE	PRIORITY DATE
07 MAR 97	07 MAR 96
DATE MAILED: 22 MAR 1999	

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):
☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☒ a non-English language.
☐ English.
☒ Translation of the international application into English.
☐ Oath or Declaration of inventors(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☒ The International Preliminary Examination Report in English and its Annexes, if any.
☒ Translation of Annexes to the International Preliminary Examination Report into English.
☒ Preliminary amendment(s) filed 08 SEP 1998 and _____
☒ Information Disclosure Statement(s) filed 08 SEP 1998 and _____
☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____
☐ Verified Statement Claiming Small Entity Status.
☒ Priority Document.
☒ Copy of the International Search Report ☐ and copies of the references cited therein.
☐ Other:



012627-009

HUBER &
SCHUSSER

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

- ☐ PCT/DO/EO/917
☐ PTO-875

- ☐ Notice of Defective Translation

FORM PCT/DO/EO/905 (December 1997)

DECLARATION DUE
4-22-99

Paulette Kidwell, Paralegal

Telephone: 703-305-3656